

# **JOURNAL**

OF THE

## **SENATE, STATE of TEXAS**

**Second Called Session  
Thirty-Fifth Legislature**

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**Convened in the City of Austin  
August 1, 1917**

AND

**Adjourned Without Day  
August 30, 1917**

**Published by Authority of the Senate**

**T. H. YARBROUGH, Journal Clerk**



**A. C. Baldwin & Sons  
State Printers  
Austin**

# SENATE JOURNAL

THIRTY-FIFTH LEGISLATURE—SECOND CALLED SESSION

## FIRST DAY.

Senate Chamber,  
Austin, Texas,  
Wednesday, August 1, 1917.

In obedience to the call of His Excellency, Hon. Jas. E. Ferguson, Governor of the State of Texas, convening the Thirty-fifth Legislature in Special Session this, the first day of August, 1917, the Senate met in the Senate Chamber of the Capitol in the city of Austin at 12 o'clock high noon and was called to order by Lieutenant Governor W. P. Hobby.

### Temporary Officers

The Chair announced the appointment of the following temporary officers: Secretary, Jno. D. McCall of Harris County; Journal Clerk, T. H. Yarbrough of Montague County; Sergeant-at-Arms, M. F. Hornbuckle of Bosque County; Doorkeeper, Z. A. McReynolds; Calendar Clerk, W. C. Day of Harris County.

### Roll Call.

The Chair directed the Secretary to call the roll of the Senate. A quorum was not present, the following Senators answering to their names:

Alderdice.	Harley.
Bee.	Lattimore.
Buchanan of Bell.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Decherd.	Woodward.
Hall.	

#### Absent.

Bailey.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Dayton.	McCollum.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Henderson.	Suiter.
Hopkins.	Westbrook.
Hudspeth.	

## Adjournment.

There being no quorum present, the Senate at 12:10 o'clock p. m., on motion of Senator Clark, adjourned until 10 o'clock tomorrow morning.

## SECOND DAY.

Senate Chamber,  
Austin, Texas,  
Thursday, August 2, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

By unanimous consent, and on request of Senator Dayton, the Senate stood at ease for thirty minutes, at the expiration of which time the roll was called, no quorum was present, the following Senators answering to their names:

Alderdice.	Johnston of Harris.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Dayton.	Smith.
Decherd.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.
Henderson.	

#### Absent.

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Dean.	McCollum.
Floyd.	Robbins.
Gibson.	Strickland.
Hopkins.	

#### At Ease.

By unanimous consent, and on request of Senator Lattimore, the Senate stood at ease until 3 o'clock p. m. today.

#### In the Senate.

The Senate was called to order at 3 o'clock p. m. by Lieutenant Governor Hobby, at which time there was no quorum present.

**Adjournment.**

The Senate, at 3:05 o'clock p. m., on motion of Senator Clark, adjourned until 10 o'clock tomorrow morning.

**THIRD DAY.**

Senate Chamber,

Austin, Texas,

Friday, August 3, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

**Roll Call.**

The Chair directed the Secretary to call the roll of the Senate. A quorum was not present, the following Senators answering to their names:

Alderdice.	Johnston of Harris.
Bee.	Lattimore.
Buchanan of Bell.	McNealus.
Johnson of Hall.	Page.
Buchanan of Scurry.	Parr.
Caldwell.	Robbins.
Clark.	Smith.
Dayton.	Suiter.
Decherd.	Westbrook.
Henderson.	Woodward.

Absent.

Bailey.	Harley.
Dean.	Hopkins.
Floyd.	Hudspeth.
Gibson.	McCollum.
Hall.	Strickland.

**Call of the Senate.**

Senator McNealus moved a call of the Senate for the purpose of obtaining a quorum which motion being duly seconded, the call was accordingly ordered.

The roll was called the following Senators answering to their names:

Alderdice.	Decherd.
Bee.	Henderson.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Parr.

Robbins.  
Smith.  
Suiter.

Westbrook.  
Woodward.

Absent.

Bailey.	Hopkins.
Buchanan of Bell.	Hudspeth.
Dean.	Johnson of Hall.
Floyd.	McCollum.
Gibson.	Page.
Hall.	Strickland.
Harley.	

The doors of the Senate were closed and the Sergeant-at-Arms was instructed to bring in the absentees.

Pending a short delay the chair announced the arrival of Senators Buchanan of Bell, Hall, Harley and Page which completed a quorum the following Senators being present:

Alderdice.	Johnston of Harris.
Bee.	Lattimore.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Clark.	Robbins.
Dayton.	Smith.
Decherd.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.
Henderson.	

Absent.

Bailey.	Hudspeth.
Dean.	Johnson of Hall.
Floyd.	McCollum.
Gibson.	Strickland.
Hopkins.	

On motion of Senator McNealus the call was suspended and the doors of the Senate opened.

Prayer by Rev. S. H. Morgan of Bastrop County.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Westbrook.

**Proclamation by the Governor.**

The Chair here directed the reading of the following proclamation by the Governor, calling a Second Special Session of the Thirty-fifth Legislature, to be convened on the first day of August, A. D. 1917, at high noon.

**Proclamation.**

Whereas, on the second day of June, A. D. 1917, I, as Governor of

Texas, officially vetoed and disapproved the main part of the appropriation made by the Thirty-fifth Legislature for the maintenance of the State University, including the Medical Branch of same, at Galveston, Texas, same being now upon file in the office of the Secretary of State; and

Whereas, in said veto proclamation I gave my reasons for said action, to which reference is hereby made, and which reasons are hereby reaffirmed and reasserted; and which action I would again repeat under the same circumstances; and

Whereas, it has been untruthfully stated and persistently circulated that I vetoed said appropriation because I was seeking to destroy the State University, and because I knew at the time that on account of the fact that the Legislature had adjourned the Legislature would not have an opportunity to override my said veto;

Now, Therefore, by virtue of the authority vested in me under the Constitution and laws of the State of Texas, I do hereby call and convene the Thirty-fifth Legislature in a Second Called or Special Session, and order that same be convened in the State Capitol at Austin, Texas, at twelve o'clock, high noon, Wednesday, the first day of August, A. D. 1917, for the purpose of considering and making additional appropriation for the support and maintenance of the State University for the two fiscal years beginning September 1, 1917, and ending August 31, 1919.

I do not fear the traducers of my good name: and this great question of proper education will continue to be an issue before the people of this State. And I am glad of the opportunity to let the representatives of the people in the Legislature put themselves on record, so that the voters of the State may weigh the official acts of their public servants on this far-reaching issue.

I trust and hope that the Legislature will pass upon this appropriation within ten days, and I promise that within the succeeding ten days I will pass upon the appropriation so that if my views do not coincide with the views of the Legislature they will have ample opportunity to take such action as they may deem mete and proper in the premises.

I again declare that the appropriation made by the Thirty-fifth Legislature was grossly excessive and extravagant, and I am willing to have the issue clearly joined, and then we will go to the people and let them say which servant represented their views.

Given under my hand and seal of office this the 30th day of July, 1917 at the City of Austin, Texas.

JAS. E. FERGUSON,

(Seal) Governor of Texas.  
By the Governor:

C. J. BARTLETT,  
Secretary of State.

Endorsed: Filed in the office of the Secretary of State this day, the 30th of July, 1917.

C. J. BARTLETT,  
Secretary of State.

Department of State.

I, C. J. Bartlett, Secretary of State of the State of Texas, do hereby certify that the foregoing is a true and correct copy of the proclamation by the Governor of the State of Texas, calling a Second Called Session of the Thirty-fifth Legislature, to be convened on the first day of August, A. D. 1917, at high noon with the endorsements thereon, as now appears on file in this Department.

In testimony whereof I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, this the first day of August, A. D. 1917.

C. J. BARTLETT,  
Secretary of State.

#### President Pro Tem.—Election of.

The Chair announced that nominations for President Pro Tem. for the ensuing Called Session were in order.

Senator Clark placed in nomination for that place Senator Lon A. Smith of Rusk County.

There being no other nominations, the Chair declared nominations closed and appointed Senators Bee, Robbins and Buchanan of Scurry as tellers.

Senator Smith received 18 votes, being a majority of all votes cast and was declared to be duly and constitutionally elected President Pro Tempore of the Senate for and dur-